

Remarks

Applicants are hereby affirming the provisional election made on April 24, 2006 to prosecute Group VII, claims 90-102. Applicants reserve the right to file a divisional application on the non-elected matter.

Objection to the Disclosure (page 6, first full paragraph of the Office action)

Disclosure is objected for informalities in the claimed parent history. Applicants have amended the first paragraph of the specification, which now indicates the priority documents of the parent application.

Objection to the claims (page 7, second paragraph of Office Action)

Claim **99** is objected as being improperly dependent of claim 94. The Office Action states that the methyl substituent on the pyridine ring is not embraced in claim 94 from which claim 99 ultimately depends. Applicants respectfully point out that the methyl substituent refers to the substituent on the piperazine ring (R_F), and not on the pyridine group. Claim 95 contemplates R_F as being hydrogen or alkyl. In view of the above, Applicants respectfully request withdrawal of the objection

Rejections under 35 U.S.C. § 112, second paragraph (page 7, second full paragraph of Office Action)

Claims **90-92, 94-96, 98, 100-101** are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The term prodrug has been deleted from claims 90 and 94. Applicants submit that the rejection under 35 U.S.C. § 112, second paragraph is now moot.

Rejections under 35 U.S.C. § 112, first paragraph (page 7, third paragraph of Office Action)

Claims **90** and **94** are rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement, because the specification does not provide sufficient support regarding the scope of R_E . Claims **90** and **94** have been amended to limit R_E to hydrogen, therefore Applicants consider this rejection moot in view of the amendment.


Rejections under 35 U.S.C. § 103(a) (page 9, last paragraph of Office Action)

Claims **94, 95, 08-100** are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sule (abstract provided). The Office Action states that it would have been obvious to one skilled in the art at the time the invention was made to expect compounds claimed herein that are methylated on the pyridine or piperazine ring to also possess the use taught by the art in view of antihelmintic compounds described by Sule. Applicants respectfully disagree because, even if the preparation of the present compounds and those disclosed by Sule appear to be similar, the compounds of the present invention are compounds that are specific agonist of the dopamine receptor of the D4 subtype, i.e., with high selectivity for D4 subtype over D2 subtype, which represents a superior and unexpected result. Consequently, these compounds are useful in treating disorders in which an important involvement of D4 receptors is claimed, for example in sexual dysfunctions; without the liability of secondary effects provoked by agonism on the D2

receptor subtype. Therefore, Applicants respectfully request the Examiner to withdraw the obviousness rejection.

Respectfully submitted,
Marlon D. Cowart, et al.

ABBOTT LABORATORIES
Customer No.: 23492
Telephone: (847) 935-4314
Facsimile: (847) 938-2623



Gabryleda Ferrari-Dileo
Registration No. 55,174
Attorney for Applicants